

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

KAMALJIT SINGH KHERA,

Defendant.

No. 2:03-cr-103-JAM-EFB P

ORDER

Defendant was convicted of several narcotics violations in March 2005 and is now in the custody of the Bureau of Prisons. He has filed a motion for the return of property pursuant to Federal Rule of Criminal Procedure 41(g). ECF No. 411. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On March 19, 2015, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within fourteen days. Neither party has filed objections to the findings and recommendations.¹

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¹ Although it appears from the file that defendant's copy of the findings and recommendations was returned, defendant was properly served. It is a party's responsibility to keep the court apprised of a current address at all times. Pursuant to Local Rule 182(f), service of documents at the record address of the party is fully effective.

1 The court has reviewed the file and finds the findings and recommendations to be
2 supported by the record and by the magistrate judge's analysis. Accordingly, IT IS HEREBY
3 ORDERED that:

4 1. The findings and recommendations filed March 19, 2015, are adopted in full.

5 2. Defendant's motion for return of property (ECF No. 411) is granted to the extent it
6 seeks return of the California Highway Patrol "membership" identification, but denied as to
7 property previously in the possession of the IRS and the Gucci bag and sunglasses.

8 3. As to the gun and magazines, the matter is stayed pending the United States Supreme
9 Court's decision in Henderson v. United States, 135 S. Ct. 402. The Government shall notify the
10 court within 14 days of any decision.

11 DATED: May 14, 2015

12 /s/ John A. Mendez

13 UNITED STATES DISTRICT COURT JUDGE
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